



KMZ Rosenman
KATTEN MUCHIN ZAVIS ROSENMAN

525 West Monroe Street, Suite 1600
Chicago, IL 60661-3693
312.902.5200 office 312.902.1061 fax

312 902 5536
312 577 8676 (fax)
nancy.rich@kmzr.com

July 22, 2003

VIA MESSENGER

Thomas J. Krueger, Esq.
Assistant Regional Counsel
United States Environmental Protection Agency
Office of Regional Counsel
Region 5
77 West Jackson Blvd.
C-14J
Chicago, IL 60604

Re: Lovejoy, Inc. / Consent for Access to Property

Dear Mr. Krueger:

We are enclosing a revised version of EPA's draft Consent for Access to Property, which has been signed by our client Lovejoy Industries. We made the following revisions to address issues specific to our client and the Ellsworth Industrial Site:

1. Locations: Lovejoy currently operates at only one of the three locations for which EPA is requesting access -- its corporate headquarters at 2655 Wisconsin Avenue, Downers Grove, Illinois. It leases this property and has operated there since approximately 1971. Lovejoy leased property at 2431 Curtis Street for approximately three years beginning around 1994. The third property, 5411 Walnut, was leased by Lovejoy for an unknown period of time ending in approximately 1985. As a result, Lovejoy has legal authority to grant access only to the currently-leased property on Wisconsin Avenue.

2. Authorized activities: We specifically identified the reason for EPA's request -- the investigation at the Property of soil and groundwater contamination that may be related to the Ellsworth Industrial Site. We also clarified that Lovejoy is giving EPA authority to conduct response actions to address an imminent and substantial danger. We did not include the proposed authority to perform "any other actions to investigate contamination that EPA may determine to be necessary" because it is too broad and undefined. If there is not an imminent and substantial danger and the "any other actions" go beyond monitoring and sampling, Lovejoy should be informed and have an opportunity to work with EPA to address the issue. EPA is not

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alleging that the Ellsworth Industrial Site poses an imminent and substantial endangerment. EPA's Administrative Order on Consent dated July 9, 2003 ("AOC") anticipates that residential public water supply hookups will not be completed until 2005, and EPA's web site explains that the contamination levels are not high enough for EPA to use emergency authority.

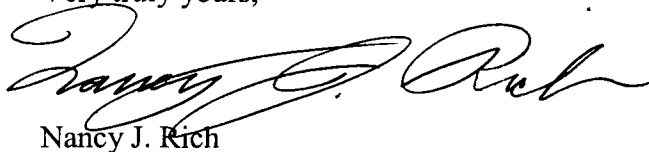
3. Opportunity to observe work and split samples: Under these non-emergency circumstances it is reasonable to allow Lovejoy to observe EPA's work and split samples.

4. Notice / Reasonable steps to avoid interference with ongoing business operations: We added a notice provision that provides Lovejoy with a minimum 48 hour notice so that it has a meaningful opportunity to schedule its environmental consultant or other representatives to observe the work and/or split samples. It is customary and equitable for EPA to agree to take reasonable steps to avoid interfering with Lovejoy's business while carrying out its activities.

5. Signatory's authority: We replaced the provision stating that the signatory is signing the consent on behalf of himself and "all other co-owners of this property." Neither the signatory nor Lovejoy owns the Property, and the purpose of this provision is to ensure that the signatory has authority to grant access to EPA. Our revision requires the signatory to represent that he has the authority to grant EPA this consent for access to the Property.

We would appreciate receiving a copy of the Consent for Access after it has been signed by EPA. Thank you for reviewing our revisions, and please contact us at your convenience in the event that you have any questions or comments.

Very truly yours,



Nancy J. Rich

cc: Thomas Brininger



CONSENT FOR ACCESS TO PROPERTY

NAME: Lovejoy, Inc.
ADDRESS: 2655 Wisconsin Avenue
Downers Grove, Illinois 60515

I consent to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency (U.S. EPA) and the State of Illinois entering and having continued access to this property ("Property") as provided herein for the following purposes (referred to as the "Work"):

Preparing for and conducting monitoring and sampling activity at the Property for the purpose of detecting groundwater contamination and/or subsurface soil contamination that may be related to the Ellsworth Industrial Park Superfund Site;

Preparing for and disposing of hazardous materials generated during sampling activity;

Taking any response action to address any release or threatened release of a hazardous substance, pollutant or contaminant, which U.S. EPA determines may pose an imminent and substantial endangerment to the public health or the environment.

U.S. EPA will direct persons entering the property pursuant to this agreement to provide Lovejoy at least forty-eight (48) hours notice, which notice shall be provided to Thomas Bringer by facsimile at (630) 852-1061, telephone at (630) 852-0500, or personally during a multi-day site visit. Such persons will take reasonable steps to ensure that the Work does not interfere with ongoing business operations at the property. At its discretion, Lovejoy may observe U.S. EPA's sampling activities. U.S. EPA will provide split samples to Lovejoy upon request.

I realize that these actions taken by U.S. EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. §9601 et seq.

This written permission is given by me voluntarily, with knowledge of my right to refuse and without threats or promises of any kind. I represent that I have the authority to grant U.S. EPA this consent for access to the Property.

DATE

7/18/03

SIGNATURE

by: Thomas R. Bringer
Vice President

LOVEJOY, INC.

2655 Wisconsin Avenue, Downers Grove, IL 60515-4299 U.S.A.
Phone: 630-852-0500 Fax: 630-852-2120 <http://www.lovejoy-inc.com>